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Summary record of the 54th meeting
Held at Headquarters, New York, on Friday, 10 November 2000, at 11 a.m.

Chairperson: Ms. Gittens-Joseph ..... (Trinidad and Tobago)

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00-73903 (E)

The meeting was called to order at 11.20 a.m.

Agenda Item 109: Report of the United Nations High Commissioner for Refugees, questions relating to refugees, returnees and displaced persons and humanitarian questions (*continued*) (A/C.3/55/L.66, L.67, L.68, L.69 and L.70)

1. **The Chairperson** announced that a number of delegations had requested that action on the draft resolutions under agenda item 109 be postponed to the following meeting to enable them to complete their consultations.

2. *It was so decided.*

3. **The Chairperson** said that, by letter dated 8 November 2000, the Chairman of the Fifth Committee had invited the Third Committee to revert to the consideration of programme 19 of the medium-term plan for the period 2002-2005 relating to human rights, with a view to submitting, before 17 November 2000, concrete recommendations to the Fifth Committee on that programme. At a meeting convened by the Chairperson, the Bureaux of the two Committees had agreed that, as the Third Committee had almost completed its work, experts from that Committee should attend the meeting of the Fifth Committee at which programme 19 was to be discussed.

4. *It was so decided.*

Agenda item 112: Elimination of racism and racial discrimination (*continued*) (A/C.3/55/L.27/Rev.1)

Draft resolution A/C.3/55/L.27/Rev.1: Third Decade to Combat Racism and Racial Discrimination and the convening of the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance

5. **Ms. Newell** (Secretary of the Committee), referring to the holding of the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, gave details of the conference-servicing implications of paragraphs 9, 20 and 21 of section II of draft resolution A/C.3/55/L.27/Rev.1. Pursuant to paragraph 5 of General Assembly resolution 40/243 I, the additional costs involved in holding the Conference in Durban, South Africa, rather than Geneva would be defrayed by the host Government. The inter-sessional working group would meet for one week in January 2001, while the Preparatory Committee would meet for two weeks, instead of one, in May 2001. The two meetings, which would be held at Geneva and would have interpretation and documentation services in the six official languages of the United Nations, would not entail additional appropriations for the biennium 2000-2001.

6. With regard to paragraph 4 of section II of draft resolution A/C.3/55/L.27/Rev.1, the Comptroller had drawn attention to section VI of General Assembly resolution 45/248 B and had indicated his readiness to provide any additional information which delegations might require concerning the relevant procedures.

7. **Mr. Musa** (Nigeria), speaking on behalf of the Group of 77 and China, made a number of revisions to the draft resolution. In section I, paragraph 3 should be replaced by: "*Recognizes* that Governments implement and enforce appropriate and effective legislation to prevent acts of racism, racial discrimination, xenophobia and related intolerance, thereby contributing to the prevention of human rights violations" and in paragraphs 12 and 13 the word "their" should be replaced by "the" and the words "they have accepted" inserted after "obligations". In section II, paragraph 19, the word "a" should be replaced by "the" in the fourth line after the word "manner" and in the fifth line before the words "draft declaration" and "draft programme of action". In paragraph 24, the word "inclusive" should be inserted after "convening" in the second line.

8. The following countries were also sponsoring the draft resolution: Australia, Austria, Belgium, Canada, Czech Republic, Denmark, Finland, France, Germany, Greece, Iceland, Ireland, Japan, Luxembourg, Mexico, Monaco, Netherlands, New Zealand, Norway, Portugal, Spain, Sweden, Turkey and the United Kingdom, and he hoped that it would be adopted by consensus.

9. **The Chairperson** announced that Croatia, Kazakhstan and Malawi had also become sponsors of the draft resolution.

10. **Ms. Shestack** (United States of America) expressed appreciation for the spirit of cooperation and compromise that had made it possible to reach a consensus. Her Government, which was determined to combat all manifestations of racism both nationally and worldwide, would help work for the success of the World Conference. It could not, however, sponsor the

draft resolution because some of the positions taken in it ran counter to the First Amendment to the United States Constitution, on freedom of expression. Moreover, her delegation believed that the General Assembly did not have the authority to urge States, as it did in section I, paragraph 10, of the draft, to ratify treaties or conventions. It would be more appropriate for the Assembly to limit itself to inviting States to consider doing so. Lastly, while it agreed that the necessary action should be taken to combat racism, her delegation believed that the phrase "by all available means" in paragraph 2 was too vague and might give rise to misunderstandings.

11. The draft resolution, as orally revised, was adopted.

12. **The Chairperson** said that the Committee had completed its consideration of agenda item 112.

Agenda item 114 (b): Human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms (*continued*) (A/C.3/55/L.41, L.47/Rev.1, L.48/Rev.1, L.52 and L.56/Rev.1)

13. **The Chairperson** announced that consideration of draft resolutions A/C.3/55/L.41 and L.47/Rev.1 would be postponed to the following meeting.

Draft resolution A/C.3/55/L.48/Rev.1: Globalization and its impact on the full enjoyment of all human rights

14. **The Chairperson** said that draft resolution A/C.3/55/L.48/Rev.1 had no programme budget implications.

15. **Mr. Oda** (Egypt) noted that the Sudan, which was a sponsor of the draft resolution, had been omitted from the list of sponsors.

16. **The Chairperson** announced that Cameroon, Guyana and Sierra Leone had also become sponsors.

17. **Ms. Shestack** (United States of America) requested that a recorded vote be taken on the draft resolution.

18. **Ms. Mesdoua** (Algeria) called on all delegations to support the draft resolution because, although globalization held promise, it was also fraught with danger. The progress on civil and political rights permitted by the current democratization process was being undermined by lack of progress and, following structural adjustment, even reverses in the area of economic and social rights. That was creating a vicious circle in which the right to freedom of expression had only limited relevance for those who were hungry and, likewise, the right of freedom of association for those who were homeless or the most generous provisions of human rights treaties for those who were illiterate or were struggling to meet their basic needs. For that reason and in view of the growing disparity between North and South, globalization must be humanized.

19. **Mr. Le Bret** (France), speaking on behalf of the European Union in explanation of vote before the voting, thanked the sponsors of the draft resolution, particularly Egypt, for their active participation in the informal consultation process. Despite the amendments made to the draft, the European Union's proposals, which had been based directly on the Millennium Declaration (General Assembly resolution 55/2), had unfortunately not been included. The draft resolution was very balanced in that it failed to reflect all the complexities of globalization so well described in the preliminary report of the Secretary-General on globalization and its impact on the full enjoyment of all human rights (A/55/342). It gave the impression that States and Governments alone were concerned by globalization and resolutely ignored the new forms of partnership with new actors, whether civil society or the private sector, whose emergence was in fact one of the major phenomena associated with globalization. The European Union also did not share the draft resolution's negative assessment of the impact of globalization on the full enjoyment of all human rights and regretted that it established a direct relationship between certain aspects of globalization, such as instability of capital movements, and violations of all human rights; the violation of one human right did not necessarily mean the violation of all such rights. For example, while it was true that a child suffering from hunger would have difficulty in learning, globalization did not automatically pose a threat to the right to physical integrity.

20. The European Union would therefore vote against the draft resolution.

21. **Ms. Patterson** (Canada), speaking on behalf of Australia, New Zealand, Norway and the Republic of Korea in explanation of vote before the voting, thanked the sponsors of the draft resolution for having conducted consultations in a transparent manner with a view to achieving consensus on an important issue.

However, the draft resolution did not recognize the complexity of the issues involved in globalization, including the benefits that the process could bring, even if it was true that there was a need to ensure better distribution of the fruits of global economic growth. Governments had a key role to play in implementing policies aimed at promoting financial, social and economic stability, harnessing the benefits of globalization and promoting and protecting human rights at the national and international levels. It was regrettable that the text did not recognize the importance of taking domestic measures to address the challenges of globalization.

22. The delegations concerned would therefore not be able to vote in favour of the draft resolution.

23. **Ms. Nishimura** (Japan), speaking in explanation of vote before the voting, said that her delegation supported the general thrust of the draft resolution, which sought to address the adverse effects of globalization on the full enjoyment of human rights, but was not convinced that the Third Committee was the best forum for discussion of an issue which had already been addressed elsewhere (particularly in view of the close link between globalization and the international economic system). Japan fully supported the language in the draft resolution taken from the Millennium Declaration (A/RES/55/2) and the outcome document adopted at the end of the World Summit for Social Development and Beyond: Achieving Social Development for All in a Globalizing World, entitled "Further initiatives for social development", but was particularly concerned that the eleventh preambular paragraph of the draft resolution stated that the widening gap between the developed and the developing countries had contributed, inter alia, to deepening poverty. Rather, the gap could be widening because developed countries were growing at a faster rate than developing countries. Indeed, a number of sources, including paragraph 46 of the report of the Secretary-General on globalization and its impact on the full enjoyment of all human rights (A/55/342), had confirmed that the percentage of people living in extreme poverty had decreased between 1990 and 1998. Her delegation also regretted that the draft resolution failed to mention the key players in globalization: the private sector and civil society. For all those reasons, her delegation would vote against the draft resolution.

24. *A recorded vote was taken on the draft resolution.*

In favour:

Algeria, Angola, Antigua and Barbuda, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Benin, Bhutan, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Cameroon, Cape Verde, Chad, China, Comoros, Côte d'Ivoire, Croatia, Cuba, Democratic People's Republic of Korea, Democratic Republic of the Congo, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Ethiopia, Gambia, Ghana, Guinea, Guyana, Honduras, India, Indonesia, Iran (Islamic Republic of), Jamaica, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lesotho, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Mali, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Philippines, Qatar, Russian Federation, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Saudi Arabia, Senegal, Sierra Leone, Sri Lanka, Sudan, Swaziland, Syrian Arab Republic, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, United Arab Emirates, United Republic of Tanzania, Viet Nam, Yemen, Zambia, Zimbabwe.

Against:

Andorra, Australia, Austria, Belgium, Bulgaria, Canada, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Georgia, Germany, Greece, Hungary, Iceland, Ireland, Israel, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Marshall Islands, Monaco, Netherlands, New Zealand, Norway, Poland, Portugal, Romania, San Marino, Slovakia, Slovenia, South Africa, Spain, Sweden, the former Yugoslav Republic of Macedonia, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining:

Albania, Argentina, Armenia, Bolivia, Cambodia, Chile, Colombia, Costa Rica, Guatemala, Paraguay, Peru, Republic of Korea, Singapore, Thailand, Uruguay.

25. *Draft resolution A/C.3/55/L.48/Rev.1 was adopted by 91 votes to 44, with 15 abstentions.*

26. **Mr. Oda** (Egypt), making a general statement after the voting, expressed regret that consensus had not been reached. He had listened very closely to the statements made in explanation of vote before the voting by the European Union, Canada and Japan; there had been no intention to deny the role played by civil society and the private sector in globalization. Rather, the draft resolution focused on questions of principle without reference to activities of any kind. He was also surprised that the delegation of Japan should feel that a draft resolution addressing the well-being of people was not a suitable subject for consideration by the Third Committee.

27. **The Chairperson** announced that a decision on draft resolutions A/C.3/55/L.52 and A/C.3/55/L.56/Rev.1 would be deferred to the afternoon meeting.

28. She announced that the Committee had thus concluded its consideration of agenda item 114 (b).

Agenda item 114 (c): Human rights situations and reports of special rapporteurs and representatives (*continued*)

29. **The Chairperson** announced that a decision on draft resolutions A/C.3/55/L.42/Rev.2, A/C.3/55/L.51/Rev.1 and A/C.3/55/L.62/Rev.1 would be deferred to the afternoon meeting.

30. Noting the absence of the delegation of Haiti, which had a direct interest in draft resolution A/C.3/55/L.64, she announced that a decision on that draft resolution would be deferred to the afternoon meeting.

The meeting rose at noon.